

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

SARA S. ECHEVARRIA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	NO.: 05-284 GMS
	)	
ROGER MAYFIELD,	)	
NATIONWIDE GENERAL	)	TRIAL BY JURY DEMANDED
INSURANCE COMPANY, and U-	)	
HAUL CO. OF FLORIDA,	)	
	)	
Defendants.	)	

**NOTICE OF MOTION**

**PLEASE TAKE NOTICE** that Plaintiff's Response to Defendant Roger Mayfield's Motion *in Limine* will be heard at the convenience of the Court.

MURPHY & LANDON

/s/ Roger D. Landon  
ROGER D. LANDON, No. 2460  
CHASE T. BROCKSTEDT, No. 3815  
1011 Centre Road, #210  
Wilmington, DE 19805  
(302) 472-8112  
Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

SARA S. ECHEVARRIA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	NO.: 05-284 GMS
	)	
ROGER MAYFIELD,	)	
NATIONWIDE GENERAL	)	TRIAL BY JURY DEMANDED
INSURANCE COMPANY, and U-	)	
HAUL CO. OF FLORIDA,	)	
	)	
Defendants.	)	

**PLAINTIFF'S RESPONSE TO DEFENDANT ROGER MAYFIELD'S  
MOTION IN LIMINE**

Defendant Roger Mayfield has moved *in limine* to exclude portions of the testimony of plaintiff's liability expert, Frank Costanzo. Specifically, Mayfield seeks to preclude Costanzo from testifying that Mayfield was negligent in the operation of the trailer because such an opinion is a legal conclusion and, therefore, inadmissible. Plaintiff agrees that Mr. Costanzo should not be permitted to opine as to the legal conclusion that Mr. Mayfield was negligent.

Mayfield also seeks to preclude Mr. Costanzo from testifying as to his opinion that Mayfield did not properly attach the safety chains. Plaintiff agrees that Mr. Costanzo should not be permitted to testify as to an opinion that the safety chains were not properly attached by Mr. Mayfield.

Defendant U-Haul Co. of Florida has filed a separate motion *in limine* seeking to preclude any testimony whatsoever from Mr. Costanzo. Plaintiff's opposition to that motion is being filed separately. Plaintiff believes there are a number of matters which Mr. Costanzo can properly testify about which will be appropriate and helpful for the jury.

MURPHY & LANDON

/s/ Roger D. Landon

ROGER D. LANDON, No. 2460

CHASE T. BROCKSTEDT, No. 3815

1011 Centre Road, #210

Wilmington, DE 19805

(302) 472-8112

Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

SARA S. ECHEVARRIA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	NO.: 05-284 GMS
	)	
ROGER MAYFIELD,	)	
NATIONWIDE GENERAL	)	TRIAL BY JURY DEMANDED
INSURANCE COMPANY, and U-	)	
HAUL CO. OF FLORIDA,	)	
	)	
Defendants.	)	

**CERTIFICATE OF SERVICE**

I, Roger D. Landon, Esq., do hereby certify that on this 7<sup>th</sup> day of February, 2007, copies of the foregoing **PLAINTIFF'S OPPOSITION TO DEFENDANT ROGER MAYFIELD'S MOTION IN LIMINE** were delivered via electronic filing to the following individual(s):

Stephen L. Caponi, Esquire  
Blank Rome, LLP  
Chase Manhattan Centre  
1201 Market Street, Suite 800  
Wilmington, DE 19801

Robert J. Leoni, Esquire  
Michael J. Logullo, Esquire  
Shelsby & Leoni  
221 Main Street  
Wilmington, DE 19804

Francis H. LoCoco, Esquire  
Quarles & Brady LLP  
411 East Wisconsin Avenue  
Milwaukee, WI 53122

Robert K. Pearce, Esq.  
Ferry Joseph & Pearce  
824 N. Market Street, #904  
Wilmington, DE 19801

MURPHY & LANDON

/s/ Roger D. Landon  
ROGER D. LANDON, No. 2460  
CHASE T. BROCKSTEDT, No. 3815  
1011 Centre Road, #210  
Wilmington, DE 19805  
(302) 472-8112  
Attorneys for Plaintiff